DIPE CIQUE

06/28/200 01 FC:281

TRANTERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT

Docket Number (Optional)

P67948US1

Application No. 10/790,141 Filed: March 2, 2004 For: ROTARY ENGINE (AS AMENDED) The owner>*<. HARCOURT ENGINE PTY. LIMITED of	
Filed: March 2, 2004 For: ROTARY ENGINE (AS AMENDED) The owner>*<, HARCOURT ENGINE.PTY.LIMITED of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,705,202	In re Application of: Dougal Lamont Harcourt
The owner>*<, HARCOURT ENGINE PTY. LIMITED of100. percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6.705,202 The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns. In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer. Check either box 1 or 2 below, if appropriate. 1. X For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or bo	Application No. 10/790,141
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Certification under 37 Of 17 3.73(b) is required in terminal discialiner is signed by the assignee.	X unchanged. Changed (if changed, an explanation should be supplied). >*Certification under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee.

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